

EASTERN MONTANA RESOURCE ADVISORY COUNCIL MEETING
Miles City, Montana
August 14, 2003

Attendance

RAC: Marian Hanson, Betty Aye, Becky Kallevig, Jack Bailey, Eldon Rice, Bucky Herringer, Bill Kennedy, Bill Schwarzkoph, Marty Ulrich, Robert Lubbers, Neta Old Elk,
Absent: Jamie Byrne, Dave Smith, and John Ensign

BLM: David McIlnay, Sandy Brooks, Eddie Bateson, Mark Jacobsen, Mary Apple, Twinkle Thompson, Rebecca Makor.

National RAC Meeting Update

Robert Lubbers thanked the RAC for sending him to a very informative meeting in Washington DC. Robert had handouts available for those interested and gave a short report on the events that transpired. Twinkle confirmed the next National RAC meeting would take place in the west.

Field Manager Updates

David McIlnay, MCFO – The Coal Bed Methane (CBM) Plan Admendment and EIS are complete and a Record of Decision has been issued. The Montana Board of Oil and Gas has given the thumbs up to proceed. MT DEQ has also issued their Record of Decision. There are currently three lawsuits pending with no date as to when the preliminary hearings will be. The BLM will continue to proceed unless an injunction is issued to stop. It is the BLM's goal to ensure that steps are taken to do the job right.

Fidelity Company filed an application for drilling. It was reviewed and sent back with deficiencies. They are planning to begin drilling in mid-September. All parties will be working closely with and involving landowners. This is a good opportunity to pull together a pilot group, which would consist of landowners, environmentalists, BLM, Industrial representatives, etc. The intent of this pilot group would be to have issues from all sides heard and come up with a win-win solution for all. If it works well, sub-groups could be created. There is a tentative meeting scheduled for September 24, 2003 in Sheridan, WY to set up a format.

The BLM is working on getting a management direction and ideas from the public regarding the Glendive OHV area. The Knowlton project is complete.

There have been some drought/over-grazing issues with permittees. One in particular may end up going to an IBLA hearing.

Sandy Brooks, BiFO – There was a 25% personnel turnover in Sandy's office since January. There are currently five new employees in the Billings Field Office. They are: Eddie Bateson, Asst. Field Mgr.; Glade Hadden, Archeologist; Casey Boechler, Natural Resource Management Specialist; Joan Burns, Resource Assistant; Lynn Anderson, Recreation Planner.

Stage II fire restrictions are in effect across the Billings Field Office Area. Vehicle use has been restricted in a couple of OHV areas due to high grass and homes in the vicinity. The Hubbell fire is winding down. It is currently at 34,000 acres and should be contained by the end of the day.

Immuno-contraception darting continues on wild horses in the Pryor Mountains. The horses targeted are 1- and 2-year-olds and 13-year-olds and older. There will be a gather of 10-12 bachelor horses in September. The project is being cost-shared with the Natl. Park Service and the U.S. Forest Service. A number of horses have been lost due to natural causes.

Visitation to Pompey's Pillar has increased by 7% this season due to the Lewis and Clark commemoration. The Interpretive Center is on track and will go out for bids this fall. The hope is to break ground in the spring. There will also be a new center built at Fort Benton at the old water plant on Front Street.

The Environmental Assessment has been sent in for the Horse Thief Project. The comment period ends August 20, 2003. A dozen comments have been received so far – all of them positive.

The Shepard OHV area is temporarily closed due to fire restrictions. A landowner has a pending lawsuit due mostly to noise complaints. So far the judge has been favorable to the BLM. There is also an emergency shooting closure in place until September 30, 2003. Sandy requested a sub-group to work on this issue and to help keep the public informed.

Robert Lubbers moved to set up a sub-group. The motion was seconded by Bill Kennedy and passed by the committee. The sub-group will be: Bill Schwarzkoph, Bill Kennedy, Robert Lubbers, and Marty Ulrich. There will be new RAC members in September who may be interested in serving on the sub-group as well. Bill Kennedy suggested calling the Bureau of Reclamation to see if they are interested, as well as someone from the local rod and gun club.

The Citizens Watch group has been successful. The renovation of Penn's Cabin at the top of the Pryor Mountains has been completed and it has re-opened.

Weatherman Draw – (Glade Hadden)

Glade gave a presentation on Weatherman Draw beginning with its controversial history. It is a 15,000-acre area south of Bridger. 2,400 of the 15,000 acres were inventoried and 31 new archeological sites were discovered. 63 percent of those archeological sites are eligible for the National Register. In terms of drilling, it has been proposed to double the ACEC area from 4000 acres to 8000 acres. Another possibility is to withdraw the entire area and open leasing on old sites with no surface occupancy until the RMP revision is complete which is proposed to begin in 2005. It was requested that the Carbon County Commissioners be involved. There was discussion on funding. Glade has applied for funding but it is on a yearly basis with no guarantee of continuance. A suggestion was to go to the oil companies for funding. The sub-committee will draft a resolution to Washington DC to continue the funding for Weatherman Draw in order to expand the ACEC and to expedite the project. A copy of the draft will be brought to the next meeting for review.

Appreciation Gifts

Sandy and David presented appreciation gifts to RAC members whose terms are up. These members have committed to and provided a valuable resource to BLM and the public. They are as follows: Eldon Rice, Bill Schwarzkoph, Bill Kennedy, John Ensign, and Bucky Herring.

Coal/Oil Energy Presentation – (Bill Schwarzkoph)

Bill gave a detailed dissertation on Montana coal mining. There are currently seven mines in Montana. Bill is a safety/health inspector and he reviewed the importance of inspections at the mines and showed a comprehensive slide presentation.

SWL Discussion

Bill McIlvain explained that the Sustaining Working Landscape initiative (SWL) was brought about for a number of reasons, some of which are:

- To encourage better working arrangements between the Bureau and ranchers.
- To get voluntary concepts between ranchers and other users.
- To promote partnerships on the ground floor.

Twinkle explained that Kathleen Clarke recognizes that a partnership between the BLM and ranchers is important in order to keep a viable economy going and she is looking for ways to get these partnerships started. She is asking for comments on the policy material by November 1, 2003.

There were concerns from the RAC members, such as:

- Is this a roll back to the 1934 Taylor Grazing Act?
- What will the ranchers be expected to do in return for help?
- Why is the policy drafted and comments asked for --after the fact? The RAC would like to be more involved in the development of policy.
- Why is this new way of doing business necessary?
- Is this a back door for NGO's?
- The Resource Common Allotment will need some attention. It works better in larger public land states such as Idaho. BLM doesn't have the necessary resources at this time. Bill McIlvain noted the price would be set at the current rate and based on who has the greater need. The intent is not to reward bad practices. The Endangered Species Act would come into play in terms of time and place. Livestock and the target species may not be good grazing partners, and the livestock could be moved to an adjacent allotment. It is not determined whether or not the landowner would earn credits for moving livestock for endangered species purposes.
- Funding and resources would have to be found to do the job.
- Do managers have the resources and/or the authority to make necessary decisions or does this need to be added to the policy?

There are many issues to resolve and the RAC requested Twinkle check with Kathleen Clarke to see if the November 1st deadline for comments could be extended.

Public Comment Period -- The following persons spoke during the available time:

Ken Nickels was seeking assistance on a conflict concerning grazing issues between his family members. David McIlnay gave Mr. Nickels his business card and said he would look into it.

Dyrck Van Hyning is a food broker with concerns regarding the Federal grazing policies.

Mary Jones, spokesperson for Friends of the Missouri Breaks, expressed concerns regarding SWL. Her organization would like to be a part of the decision making process and requested that more information be sent to her.

Ron Moody is an officer of the Montana Wildlife Federation expressed concerns and gave comments regarding SWL.

John Gibson expressed concerns and gave comments regarding SWL.

OHV Update – (David Squires)

There is a new OHV brochure out that discusses the new travel restrictions. The OHV decisions became effect June 27, 2003 and included:

- 5.8 million acres changed from an “open” to a “limited” designation
- Cross-country travel is no longer allowed
- Exceptions for permittees/lessees
- Exceptions for camping – up to 300’ from roads and trails
- A BLM follow up on site specific travel planning (Phase 2)

The implementation will take place in two phases:

Phase I will consist of installing portal regulatory signs that tell the public to stay on existing roads and trails.

Phase II will consist of road inventory and making decisions on specific roads and trails – open, closed, or some type of restriction.

Areas have been split into *three* categories: high priority (2 yrs), moderate priority (5 yrs), and low priority (no specific time frame).

A letter was sent on August 13, 2003 to permittees highlighting the main points of the OHV Record of Decision. Permittees can call the BLM MCFO if they have areas that need to be signed. Directives will be in the Montana 2003 hunting regulations and on all BLM maps sold. Any feedback or comments may be directed to David Squires in Miles City or Eddie Bateson in Billings.

RAC OHV Discussion/Recommendation Period

It was the consensus of the RAC that more time is needed to study the SWL document. A sub-committee may be formed in order to formulate and generate comments by the November 1 deadline. Again, Twinkle will request a new deadline. It was recommended that a joint meeting with the other RACs be set up.

Meeting Evaluation/Wrap-up, Next Mtg Dates, Agenda, etc.

The next meeting was tentatively set for October 22 and 23, 2003. If a joint RAC meeting can be set up, it will take place in Billings, MT on the 22nd (being reserved for individual RAC meetings), with the joint MT RAC meeting held on the 23rd.

If a joint meeting cannot be set up, then the E. MT RAC will proceed with their own meeting: the social will be the 22nd with the regular meeting held on the 23rd at the Crow Reservation.

RAC members will be informed as soon as possible, once a determination from the state office is reached as to whether or not a combined MT RAC meeting will be conducted.